

Sub B6 25. (Amended) The saw blade carry case of claim 24 further comprising a pair of handle receptacles attached with said central crossbar of one of said front and rear members, whereby said handle receptacles each receive an end of said handle.

Sub B6 A 3 34. (Amended) A package and display for holding blades, comprising:
a pair of generally flat frame members arranged generally parallel to each other to define a gap therebetween;
a handle on at least one of said frame members; and
retention means on at least one of said frame members;
whereby said frame members and said retention means cooperate to hold said blades within said gap, and whereby at least one of said blades is viewable at least in part through at least one of said frame members.

Pursuant to 37 C.F.R. § 1.121, a marked-up version of the claims is included in the Appendix.

REMARKS

1. In the Drawings

The drawings have been objected to under 37 CFR 1.83(a) for not showing the features of claims 21, 31, 32 and 36. Applicant has cancelled these claims and respectfully submits that this rejection is now moot.

2. In the Specification

The Examiner has objected to the disclosure under § 112, first paragraph because the Examiner claims that the specification does not enable a person skilled in the art to make the features of claims 21, 31-32 and 36. Applicant respectfully traverses this rejection, in that all of the claimed subject matter is clearly present in the specification and described thoroughly therein. However, in order to move this application towards allowance, Applicant has deleted claims 21, 31-32 and 36 from the application without prejudice. It is submitted, therefore, that the Examiner's objection under § 112, first paragraph has been overcome.

3. Claim Rejection - 35 U.S.C. § 112, First Paragraph

The Examiner has rejected claims 21, 31-32 and 36-37 under § 112, first paragraph as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains, or with which it is most nearly connected, to make and/or use the invention. Applicant respectfully traverses this rejection. As noted above, Applicant respectfully submits that all of the claimed subject matter is clearly present in the specification and described thoroughly therein. However, in order to move this application towards allowance, Applicant has deleted claims 21, 31-32 and 36-37 from the application without prejudice. It is submitted, therefore, that the Examiner's rejection under § 112, first paragraph has been overcome.

4. Claim Rejection - 35 U.S.C. § 112, Second Paragraph

The Examiner has rejected claims 24-25 under § 112, second paragraph as being : indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully traverses this rejection. Applicant has amended claim 24 so that the spindle extends from the center of one of the members to the center of the other of the members as is shown in Figs. 1-3. Applicant has also amended claim 25 so that an antecedent basis is provided. It is submitted, therefore, that the Examiner's rejection under § 112, second paragraph has been overcome.

5. Claim Rejection – 35 U.S.C. § 102(b)

Claims 34 and 35 have been rejected under 35 U.S.C. 102(b) as anticipated by Reinhardt. Applicant respectfully traverses this rejection. Claim 34 is an independent claim. Applicant has amended claim 34 so that at least blade is viewable at least in part through at least one frame member. Reinhard does not disclose a frame member that allows at least one blade to be viewable at least in part. Reinhard instead discloses solid plates (col. 2, lines 18-22), with one of the plates being embossed (col. 2, lines 26-28). Nowhere does Reinhard contemplate plates that allow a blade to be viewed at least in part through a plate. Hence, Applicant respectfully asserts that Reinhardt does not disclose the package and display for holding blades of claim 34.

Therefore, Applicant submits that claim 34 distinguishes over Reinhardt and reconsideration is respectfully solicited. Claim 35 is dependent from claim 34 and its allowability directly follows from independent claim 34.

6. Claim Rejection – 35 U.S.C. § 103(a)

Claims 1-5, 7-8, 11, 16-18, 20 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Reinhard in view of Fuller. Applicant respectfully traverses this rejection. Claim 1 is an independent claim from which the others depend. Applicants have amended claim 1 so that at least one circular saw blade is viewable at least in part through the frame body. Reinhard does not disclose a frame such that a circular saw blade is viewable through the frame. Reinhard instead discloses solid plates (col. 2, lines 18-22), with one of the plates being embossed (col. 2, lines 26-28). Nowhere does Reinhard contemplate plates that form a frame allowing a saw blade to be viewed at least in part through the frame. Thus, one skilled in the art would not look to combine Reinhard with Fuller to provide a frame that allows at least one saw blade to be viewable at least in part through the frame.

Moreover, one skilled in the art would not look to combine Reinhard with Fuller because Fuller does not teach or suggest a saw blade carry case. Fuller instead discloses a shipping carrier for the shipment of phonograph disk records or record blanks (col. 1, lines 9-13). The cross bars in Fuller are from a different art than the saw blade carry case of claim 1, and hence cannot properly be used as a reference to issue a § 103 rejection.

Therefore, in view of the above comments, Applicants respectfully assert that the rejection under 35 U.S.C. § 103 has been overcome. Withdrawal of this rejection is therefore respectfully requested. Claims 2-5, 7-8, 11, 16-18, 20 and 22 are dependent claims of claim 1 their allowability directly follows from independent claim 1.

The Examiner has also rejected claim 6 and 23 under § 103 as being unpatentable over Reinhard in view of Fuller and in further view of Wiepert. Applicant respectfully traverses this rejection. Claims 6 and 23 depend from claim 1. In view of the above comments with regard to the § 103 rejection for claim 1, Applicant respectfully asserts that the rejection under 35 U.S.C. § 103 has been overcome, and that therefore the rejection under Wiepert is moot.

The Examiner has also rejected claim 9 under § 103 as being unpatentable over Reinhard in view of Fuller and in further view of Rackley. Applicant respectfully traverses this rejection. Claim 9 depends from claim 1. In view of the above comments with regard to the § 103 rejection for claim 1, Applicant respectfully asserts that the rejection under 35 U.S.C. § 103 has been overcome, and that therefore the rejection under Rackley is moot.

Moreover, Applicant notes that Rackley discloses a saw blade housing that includes a base 11 having a cavity 15 and a housing lid 12 having a cavity 16. Thus, the housing of Rackley contemplates an enclosed structure and not a case that allows a saw blade to be viewed at least in part through the case. Therefore, one skilled in the art would not look to combine Reinhard with Rackley to provide a square-shaped frame that allows at least one saw blade to be viewable at least in part through the frame.

The Examiner has also rejected claim 10 under § 103 as being unpatentable over Reinhard in view of Fuller and in further view of Howard. Applicant respectfully traverses this rejection. Claim 10 depends from claim 1. In view of the above comments with regard to the § 103 rejection for claim 1, Applicant respectfully asserts that the rejection under 35 U.S.C. § 103 has been overcome, and that therefore the rejection under Howard is moot.

Moreover, one skilled in the art would not look to combine Reinhard with Howard because Howard does not teach or suggest a saw blade carry case. Howard instead discloses a caddy for transporting compacted bagged garbage and refuse (col. 1, lines 2-5). Thus, the structure disclosed in Howard is from a different art and serves a different purpose than the saw blade carry case of claim 10, and hence cannot properly be used as a reference to issue a § 103 rejection.

The Examiner has also rejected claims 12-15 under § 103 as being unpatentable over Reinhard in view of Fuller and in further view of Hirose et al. Applicant respectfully traverses this rejection. Claims 12-15 depend from claim 1. In view of the above comments with regard to the § 103 rejection for claim 1, Applicant respectfully asserts that the rejection under 35 U.S.C. § 103 has been overcome, and that therefore the rejection under Hirose et al. is moot.

The Examiner has also rejected claim 19 under § 103 as being unpatentable over Reinhard in view of Fuller and in further view of Stanley. Applicant respectfully traverses this rejection. Claim 19 depends from claim 1. In view of the above comments with regard to the § 103

rejection for claim 1, Applicant respectfully asserts that the rejection under 35 U.S.C. § 103 has been overcome, and that therefore the rejection under Stanley is moot.

Moreover, Stanley discloses a saw blade carrier that is enclosed in order to prevent water from entering the carrier. Thus, one skilled in the art would not look to combine Reinhard with Stanley in order to provide the invention of claim 19.

The Examiner has also rejected claims 26-30 and 33 under § 103 as being unpatentable over Reinhard in view of Howard. Applicant respectfully traverses this rejection. Claim 26 is an independent claim from which the others depend. Applicant respectfully submits that there is no suggestion to combine Reinhard with Howard. One skilled in the art would not look to combine Reinhard with Howard because Howard discloses a caddy for transporting compacted bagged garbage and refuse (col. 1, lines 2-5). Thus, the structure disclosed in Howard is from a different art and serves a different purpose than the saw blade carry case of claim 26, and hence cannot properly be used as a reference to issue a § 103 rejection.

In view of the above comments, Applicants respectfully assert that the rejection under 35 U.S.C. § 103 has been overcome. Withdrawal of this rejection is therefore respectfully requested. Claims 27-30 and 33 are dependent claims of claim 26 and their allowability directly follows from independent claim 26.


7. Allowable Subject Matter

Applicant gratefully acknowledges the Examiner would allow Claims 24 and 25. As noted above, these claims have been amended to overcome the rejections issued under § 112, second paragraph.

SUMMARY

In conclusion, Applicants respectfully submit that all pending claims are allowable in their present form, and hereby request allowance in a timely manner. Applicant respectfully requests the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorney for the Applicant via telephone if such communication would expedite this application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Anastasia Heffner". The signature is written in a cursive style with a horizontal line underneath it.

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APPENDIX

1. (Amended) A saw blade carry case, comprising:
a front member having at least one crossbar extending across said front member;
a rear member having at least one crossbar extending across said rear member;
a spindle extending between said front and rear members removably received by a receptacle on at least one of said front and rear members;
at least one handle attached to one of said front and rear members;
whereby said front and rear members together form a frame body, said front and rear members each being larger than the diameter of at least one circular saw blade to be placed within said saw blade carry case and to be retained by said spindle, said at least one circular saw blade being viewable at least in part through said frame body, and whereby said carry case may be adjusted so that said spindle may accommodate a varying number of blades.

24. (Amended) A saw blade carry case comprising a wire frame, said frame comprising:
a front circular member having an upper crossbar and a central crossbar;
a rear circular member having an upper crossbar and a central crossbar;
a panel suitable for displaying an advertisement attached with a lower portion of one of said front and rear members;
a threaded spindle having a first end attached to one of said front and rear members and a second end to removably receive the other of said front and rear members, said spindle extending from the center of one of said members to the center of the other of [through the center of] said members;
a threaded receptacle located on one of said front and rear members to receive said second end of said spindle;
a handle attached to one of said front and rear members;
whereby said front and rear members together form a frame body and wherein said front and rear members are parallel.

25. (Amended) The saw blade carry case of claim 24 further comprising a pair of handle receptacles attached with said central crossbar of one of said front and rear members [portions], whereby said handle receptacles each receive an end of said handle.

34. (Amended) A package and display for holding blades, comprising:
a pair of generally flat frame members arranged generally parallel to each other to define a gap therebetween;
a handle on at least one of said frame members; and
retention means on at least one of said frame members;
whereby said frame members and said retention means cooperate to hold said blades within said gap, and whereby at least one of said blades is viewable at least in part through at least one of said frame members.